

Paul Hilf
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United States District Court - Article III
Northern District of California
280 SOUTH FIRST ST. SAN JOSE, CALIFORNIA

FILED
NOV - 6 2015
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

Paul Hilf,

Claimant, Prosecutor

v.

Mathew Grasmuck,
Arthur Trujillo

Wrongdoers

Case no.: CV15 – 03833 PSG

Magistrate Judge Paul S. Grewal

Notice of Motion and

MOTION FOR JUDGMENT
ON THE PLEADINGS

Pursuant to FRCP Rule 12(c)

**PLEADINGS SUFFICIENTLY STATE
A CAUSE OF ACTION AND ALLEGE
WRONGDOING. PLEADINGS ALLEGE
DAMAGES AND PRAY FOR RELIEF.**

**PLEADINGS HAVE NOT BEEN DENIED.
EFFECT OF FAILURE TO DENY IS TO
TO ADMIT TO ALL FACTS ALLEGED.**

- See: FRCP 8(b)(6) -

**THUS ALL MATERIAL ALLEGATIONS
ARE TAKEN AS ADMITTED.**

**NO DISPUTE NOW EXISTS BEFORE
THE COURT. THEREFORE JUDGMENT
FOR CLAIMANT ON THE PLEADINGS
IS LAWFUL AND PROPER.**

COMES NOW Complainant Paul Hilf, and moves this Court to grant judgment on the pleadings in this matter pursuant to FRCP Rule 12(c) on the following factual and lawful basis:

1. A proper claim and complaint was filed in this Court on August 21, 2015.
2. This Court's jurisdiction was properly invoked.
3. The complaint, case no. CV15 – 03833 PSG, properly stated a cause of action.
4. The complaint properly alleged wrongdoing and stated a claim for damages.
5. All parties were properly notified and served.
6. The time for answering has expired for all parties served.
7. The accused wrongdoers have failed to deny the material facts and allegations.
8. Under Federal Rules of Civil Procedure, Rule 8(b)(6) - failure to deny, failure to respond in a way that properly answers the claims, or respond at all, is to admit.
9. Since all claims, facts, and material allegations can be taken as admitted according to the Federal Rules of Civil Procedure, then no dispute or controversy exists.
10. Therefore judgment in favor of Claimant in the amount requested is lawful.

CLAIMANT Paul Hilf now moves the Court to grant judgment in the amount prayed for in the complaint and against the two Wrongdoers for the total of **\$165,000**, to be divided as followed; **\$ 97,500** against Matthew Grasmuck, and **\$ 67,500** against Arthur Trujillo. Claimant prays it be so ordered, together with such other and further relief as the Court may deem reasonable and just under the circumstances.

Respectfully submitted,

Date Nov. 6, 2015

x

Paul Hilf
Paul Hilf

Claimant

CERTIFICATE OF SERVICE

I, Paul H. 2f

MOTION FOR JUDGMENT ON THE PLEADINGS

In person, or by prepaid postage via first class U.S. Mail, to all parties addressed as follows and listed below:

- | | |
|---|---|
| 1) Matthew Grasmuck
c/o CHP San Jose Area
2020 Junction Ave.
San Jose, California [95131] | 2) Arthur Trujillo
c/o San Jose Towing
395 Umbarger Road
San Jose, California [95111] |
| 3) Clerk – U.S. District Court
280 South First Street
San Jose, California [95113] | |

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: Nov. 6, 2015

Signed: 